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**Land Opposite Heath Farm,
Briary Lane, Royston, Hertfordshire
(Ref 25/01708/OP)**

**An Assessment of Likely Ecological Impacts
Of Proposed Development**

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1.0 Introduction

1.1 Greenwillows Associates Ltd. has been commissioned to conduct an appraisal of likely ecological impacts of proposed development on land opposite Heath Farm, Briary Lane, Royston (application reference 25/01708/OP). The outline proposals are for the demolition of No. 24 Echo Hill and the erection of up to 84 dwellings with public open space, landscaping and sustainable drainage system (SuDS), with all matters reserved save for access. The area of proposed development is referred to as 'the site' within this report.

1.2 Greenwillows Associates has previously provided an Ecological Appraisal of a planning application submitted in 2020 for the same site (application reference 20/00744/OP).

1.3 The purpose of this report is to review the submitted ecological report(s) and provide an independent assessment of the likely impacts the proposed scheme might have upon ecological designations and notable and/or protected species and habitats.

1.4 The report reviews the Preliminary Ecological Appraisal and other documents accompanying the planning application. A site inspection was undertaken by Greenwillows Associates in 2020 but no more recent site visit has been undertaken. However, further information has been provided by local residents and this is referenced where appropriate. This report assesses the potential for significant effects to arise on ecological receptors and the likely effectiveness of proposed mitigation and compensation. It also considers the proposed delivery of mandatory biodiversity gain.

2.0 Methodology

The North Hertfordshire Online Planning Register at <https://pa2.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=SYSOWWLKM KU00> was searched for documents submitted in relation to this application. The only document provided by the applicant relating directly to ecology was a Preliminary Ecological Appraisal (PEA)¹. This document refers to protected species surveys being underway to inform an Ecological Impact Assessment (EclA). However, there is no evidence that an EclA has been submitted.

2.1 Online information was consulted, including the Multi-Agency Geographic Information for the Countryside (MAGIC) website (<https://magic.defra.gov.uk/MagicMap.html>). Local residents and naturalists also supplied a variety of wildlife records relating to the site and adjoining habitats.

¹ Preliminary Ecological Appraisal Land off Echo Hill, Royston. CSA Environmental, June 2025

3.0 Habitats

- 3.1 The site is situated on the southwestern edge of Royston at NGR: TL 35376 39964. Existing development within Royston lies to the north and east, arable farmland lies to the south, while Therfield Heath SSSI lies to the west and northwest, approximately 65m from the site at its closest point. The public right of way (PROW) adjoining the southern boundary of the site is also designated as a Local Wildlife Site (LWS)
- 3.2 The site comprises two fields that were formerly in arable production, although it is understood that they have not been cropped for some years. The former tilled area is bound by broad grass margins and hedgerows. The site also includes, on its northern boundary, a single residential dwelling. Public Rights of Way adjoin the southern and western boundaries of the site.
- 3.3 Other than the residential property and associated habitats (suburban mosaic of developed and natural surface) the site is identified in the PEA as other neutral grassland (g3c), a habitat identified within the statutory biodiversity metric ² as being of medium distinctiveness.
- 3.4 Although the original habitat survey was undertaken in February 2025, outside the optimal season for survey, a follow-up survey and condition assessment was undertaken in June. However, this survey (or at least the results presented in the PEA) appears to be restricted to species recorded within a total of eight 1m² quadrats.
- 3.5 Paragraph 3.14 of the PEA refers to the condition assessment as involving a minimum of five sampling locations within each grassland parcel, but it is noted that only three quadrats are recorded within parcel F2. However, at a sampling rate of 1 quadrat per (approximately) 0.74ha this is a higher sampling rate than for the larger parcel, F1, where the condition assessment sampled just 1m² per 1.3ha. While there is an absence of guidance on calculation of sward diversity for the purpose of habitat identification and condition assessment, less than 1 quadrat/ha of grassland is considered insufficient for calculating grassland species diversity with a reasonable level of confidence.
- 3.6 Of greater concern is the conclusion that parcel F1 is in 'poor' condition because it fails condition assessment criterion A. This criterion asks whether "*The parcel represents a good example of its habitat type, with a consistently high proportion of characteristic indicator species present relevant to the specific habitat type...*". The criterion references footnote 1 which states "*Professional judgement should be used alongside the UKHab description*".
- 3.7 The five quadrats sampled within parcel F1 supported a total of 17 species, with an average of 10.6 species/quadrat. Of these 17 species, five (Yarrow *Achillea millefolium*, Perennial Rye-grass *Lolium perenne*, Common Bent *Agrostis capillaris*, False oat-grass *Arrhenatherum elatius* and Cock's-foot *Dactylis glomerata*) are listed in UKHab as

² *The Statutory Biodiversity Metric Calculation Tool*, Defra, 2024

characteristic of other neutral grassland g3c. In addition, Selfheal *Prunella vulgaris* is listed as characteristic of Arrhenatherum neutral grassland g3c5, while Lolium-Cynosurus neutral grassland g3c6 also lists Timothy *Phleum pratense* and Yellow Oat-grass *Trisetum flavescens*. Considering these species, eight of the 17 species recorded are characteristic of other neutral grassland.

3.8 Of the species recorded in the quadrats which are not identified by UKHab as characteristic of other neutral grassland: Red Fescue *Festuca rubra* agg. is a very widespread species which occurs in all 13 mesotrophic grassland communities identified in the National Vegetation Classification, and is a constant species within 8 of these; and Common Knapweed *Centaurea nigra* and Oxeye Daisy *Leucanthemum vulgare* are both positive indicator species (axiophytes) characteristic of neutral (and calcareous) grassland communities but less frequently encountered.

3.9 Further, as identified in the PEA, the soil type within the site is 'freely draining shallow lime-rich soils over chalk or limestone' which provide suitable conditions for calcareous grassland. Of the remaining species, Greater Knapweed *Centaurea scabiosa* (also an axiophyte), Hedge Bedstraw *Galium mollugo* and Wild Carrot *Daucus carota* are all species associated with more calcareous communities, with Greater Knapweed and, to a lesser degree, Hedge Bedstraw being positive indicator species.

3.10 Based on the above, my professional judgement is that 14 of the 17 species recorded may reasonably be considered to be characteristic of either neutral or calcareous, medium (or higher) distinctiveness grassland types. As such, the grassland should be considered to pass condition criterion A, particularly as the quadrats support a range of axiophyte species.

Conclusions

3.11 The site supports medium distinctiveness grassland. The PEA records parcel F2 as being in good condition. In relation to parcel F1, survey effort for habitat and condition assessment is considered to be insufficient and the grassland should be assessed as having passed criterion A and, therefore, is likely to be in good condition. This change in condition would significantly raise the baseline biodiversity value of the site as calculated using the statutory biodiversity metric.

4.0 Fauna

4.1 The PEA identifies the potential value of habitats within the site for Badger *Meles meles*, Harvest Mouse *Micromys minutus*, bats (potentially including the Annex II species Barbastelle *Barbastella barbastellus*), reptiles and birds. It states that targeted surveys are being or will be undertaken for these species or groups, to be reported within an EclA. It appears that an EclA or any other survey report has yet to be produced. In the absence of this information, the planning application should be refused, as set out in section 99 of ODPM Circular 06/2005.

4.2 It is also noted that the authors of the PEA appear to be unaware of an active Badger sett in a residential garden adjoining the site, as reported in the report prepared by Greenwillows Associates in relation to the 2020 planning application. It is understood that this sett is still in active use.

Conclusions

4.3 Section 99 of ODPM Circular 06/2005 states: “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before permission is granted.”

4.4 In the absence of results of surveys for Badger, bats, reptiles and breeding birds, planning permission should not be granted.

5.0 Ecological Designations

5.1 Therfield Heath SSSI, which is also designated as a Local Nature Reserve, supports high quality chalk grassland. The site is very well used by residents of Royston, with an estimated 215,000 person visits per year³, particularly for dog walking. Potential impacts relating to public access to the SSSI include:

- Dog fouling, leading to nutrient enrichment and vegetation change
- Trampling of vegetation leading to vegetation loss
- Soil compaction and erosion
- Damage to infrastructure (vandalism)
- Disruption to land management (e.g. dog/livestock issues).

5.2 Footprint Ecology's Therfield Heath access study identified that being close to home was the most frequent reason given for visiting Therfield Heath. Section 4.22 of the report states: "Using the top two factors; close to home and scenery/views, we compared interviewee responses by survey point and season (Table 14). During the autumn, when almost all locations were surveyed, the stand out locations with the highest percentage of interviewees stating their main reason as close to home were at survey points 4 (Golf Club) and 5 (Briary Lane), 71% and 78% respectively." From this, it would seem certain that construction of new housing off Briary Lane, within 70m of the SSSI, would inevitably result in a significant number of additional visits to the SSSI.

5.3 The PEA recognises the potential for recreational impacts to arise on the SSSI and refers to North Herts Council's *Therfield Heath SSSI Mitigation Strategy*. This strategy will deliver a number of mitigation measures, these being:

- 1 Education and Management Measures within the Heath (SSSI)
- 2 On-site planning mitigation measures for new development
- 3 Planning Policy Measures
- 4 Off-site avoidance and mitigation measures

5.4 The PEA identifies that the development proposals would comply with this mitigation strategy, through appropriate financial contributions to off-site measures and through the delivery of on-site approximately 5.9ha semi-natural greenspace. The PEA identifies that the proposed level of provision is in excess of the 8ha/1,000 residents level of provision referenced in the mitigation strategy.

5.5 However, there are two main concerns with the proposed mitigation. It is widely

³ Panter *et al* (2019) Therfield Visitor Access Study. Unpublished report by Footprint Ecology for Natural England.

recognised (e.g. Thames Basin Heaths SPA SANG⁴ requirements) that to be effective in providing an attractive alternative to visiting the relevant ecological designation, SANGs must be able to offer a suitable length of walking route, with a circular route being very strongly preferred. For the Thames Basin Heaths, for example, a circular walking route of 2.3 to 2.5km is an absolute requirement for a SANG.

5.6 If on-site greenspace at Briary Lane is intended to effectively mitigate potential increases in recreational access, then the application should clearly demonstrate that it will be able to deliver an appropriate walking route through a semi-natural environment.

5.7 More significantly, the location of the proposed development, less than 70m from Therfield Heath SSSI, means that any onsite provision of greenspace is highly unlikely to draw a high proportion of recreational visits away from the SSSI. The ineffectiveness of on-site SANG for sites close to at-risk ecological designations is recognised in, for example, the Thames Basin Heath's mitigation strategy. This is reflected in the designation of a 400m zone adjacent to the SPA, within which no new development is permitted unless it can be demonstrated that it would not lead to further recreational use of the SPA.

5.8 Because of the proximity of the proposed development to the extensive and highly scenic SSSI, SANG or other greenspace provision is highly unlikely to be effective. Accordingly, if planning permission were granted, adverse impacts from increased recreational access are highly likely to arise.

Conclusions

5.9 Paragraph 193b of the NPPF states: "development of land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweighs both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest".

5.10 Notwithstanding the proposed mitigation measures, the current proposals would be likely to have an adverse effect on Therfield Heath SSSI through the associated increase in recreational access.

⁴ Suitable Alternative Natural Greenspace

6.0 Biodiversity Gain

6.1 The Biodiversity Gain Hierarchy is set out in Article 37A of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This states: *“...”biodiversity gain hierarchy” means the following actions in the following order of priority –*

- (a) In relation to onsite habitat with habitat distinctiveness score, applied in the biodiversity metric, equal to or higher than four –
 - (i) avoiding adverse effects of the development, or
 - (ii) insofar as those adverse effects cannot be avoided, mitigating those effects;
- (b) In relation to any onsite habitat which is adversely affected by the development, compensating for that adverse effect by –
 - (i) habitat enhancement of onsite habitat;
 - (ii) insofar as there cannot be that enhancement, creation of onsite habitat;
 - (iii) insofar as there cannot be that creation, the availability of registered offsite biodiversity gain for allocation to that development;
 - (iv) insofar as registered offsite biodiversity gain cannot be allocated to the development, the purchase of biodiversity credits.

6.2 Except for the onsite residential property and grounds, the entire site has a habitat distinctiveness score of four and, as shown by the biodiversity metric, all this habitat will be lost to the development. This grassland habitat is said currently to be partly in good condition and partly in poor, although we challenge the assessment of poor condition. The habitat creation proposals set out in the biodiversity metric include the creation of under 3ha of the same habitat, i.e. other neutral grassland, in poor or moderate condition. The result is an overall loss of biodiversity within the site of 44.77% as measured by the metric.

6.3 The development proposals shown poor compliance with the biodiversity gain hierarchy. Further, although the site is identified within the Herts Ecological Networks mapping project as having potential for creation of chalk grassland, and such creation is proposed within the PEA, the metric shows creation of neutral grassland and mixed scrub.

6.4 As such, the proposed development would impact a site with reasonable potential for chalk grassland creation (as evidenced also by the colonisation of calcareous grassland species), result in a significant loss of biodiversity value within the site, and fail to create the appropriate target habitat.

7.0 Summary and Conclusion

- 7.1 Greenwillows Associates has reviewed the planning proposals based on the submitted Preliminary Ecological Appraisal. In the absence of an Ecological Impact Assessment, which must include results of surveys for protected species, planning permission should not be granted.
- 7.2 In the absence of survey information and any associated mitigation proposals, we cannot comment on the significance of any impacts, although we note that the Annex II Barbastelle occurs in the vicinity of the site and the Schedule 1 (WCA 1981) Barn Owl has been recorded within the site.
- 7.3 If the promised survey results are provided before determination of the application, it is hoped and anticipated that there would be an opportunity for public consultation and comment. Late provision of information by a developer should not result in reduced scrutiny of that information.
- 7.4 Increased recreational access to Therfield Heath SSSI appears an inevitable result of new residential development at this location, as it is so close to the designation. Being located less than 70m from the SSSI, the on-site provision of greenspace is considered likely to have very limited effectiveness in deflecting visits to the designation. The proposals comply with the *Therfield Heath SSSI Mitigation Strategy*, but this strategy fails to recognise the likely ineffectiveness of on-site greenspace provision in new development located adjacent to the SSSI.
- 7.5 The NPPF states that development having an adverse impact on a SSSI should not normally be permitted. The site at Briary Lane is not an allocated development site in the Local Plan and there is no reason why the equivalent development could not be provided in a less damaging location. Indeed, in relation to Therfield Heath SSSI, this is probably the most damaging location for development that could be found. For these reasons, it would seem appropriate for the application to be refused on the grounds of avoiding potential adverse impacts on a SSSI.
- 7.6 In relation to biodiversity gain, we challenge the assessment of the majority of the grassland as being in poor condition. However, even with this assessment, the proposals result in a net loss (habitat units) of almost 45%. The proposals do not respect the biodiversity gain hierarchy and impact a site identified in the Herts Ecological Networks mapping project as being of strategic importance

Conclusion

- 7.7 Based on the findings of our review, we conclude that planning permission cannot be granted without receipt of all the outstanding protected species survey results.
- 7.8 Regardless of those survey results, we anticipate that grant of planning permission for residential development at this location would result in harm to the adjacent Therfield Heath SSSI.